

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-182-T - ORDER NO. 2005-608  
OCTOBER 21, 2005

IN RE: Application of Charles S. Cooper, Jr. d/b/a	)	ORDER DISMISSING
Witnss Travel, 802 East Estates Boulevard,	)	APPLICATION AND
Apartment A-5, Charleston, South Carolina	)	RESCINDING
29414 (District 6) for a Class C Certificate of	)	AUTHORITY
Public Convenience and Necessity.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of the Office of Regulatory Staff (ORS) to dismiss the Application of Charles S. Cooper, Jr. d/b/a Witnss Travel (Witnss Travel or the Applicant) and to rescind the Applicant's authority as the result of the failure of the Applicant to comply with certain rules of this Commission relative to the instant docket.

A review of the docket file reveals that Witnss Travel was granted authority to operate as a motor carrier in South Carolina under a Class C Certificate of Public Convenience and Necessity (Certificate) by Order No. 2005-355, dated July 1, 2005. In Order No. 2005-355, the Commission directed the Applicant to file, or caused to be filed, with the ORS the proper license fees, proof of liability insurance (i.e. "Form E"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through R.38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended, within sixty (60) days of

the date of the Order, or within such additional time as may be authorized by the Commission.

Further, Order No. 2005-355 instructed the Applicant that the failure to either complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of the Order or to request and obtain from the Commission additional time to comply with the stated requirements, would result in the Applicant's authorization being revoked.

By letter filed September 28, 2005, the ORS advises the Commission that Witnss Travel has failed to comply with the rules and regulations of the Commission as required by Order No. 2005-355. According to the ORS, the Applicant has neither filed the appropriate documentation nor requested an extension of time; therefore, the ORS requests the Application of Witnss Travel be dismissed.

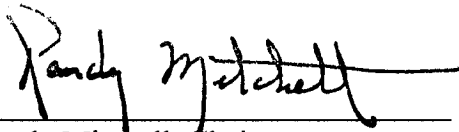
After due consideration of the ORS's request, the Commission is of the opinion, and so finds, that its previous Order No. 2005-355 granting Witnss Travel authority to provide motor carrier services should be rescinded and that the Application herein should be dismissed.

IT IS THEREFORE ORDERED:


1. That Commission Order No. 2005-355, dated July 1, 2005, granting authority to Charles S. Cooper, Jr. d/b/a Witnss Travel to provide motor carrier services under a Class C Certificate of Public Convenience and Necessity is rescinded.
2. That the Application of Charles S. Cooper, Jr. d/b/a Witnss Travel for a Class C Certificate of Public Convenience and Necessity is dismissed.

3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSON:

  
\_\_\_\_\_  
Randy Mitchell, Chairman

ATTEST:

  
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G. O'Neal Hamilton, Vice Chairman

(SEAL)